

STATEMENT OF ANN MILLS GRIFFITHS

EXECUTIVE DIRECTOR

NATIONAL LEAGUE OF POW/MIA FAMILIES

BEFORE THE

HOUSE COMMITTEE ON ARMED SERVICES

SUBCOMMITTEE ON MILITARY PERSONNEL

UNITED STATES HOUSE OF REPRESENTATIVES

ON

IMPROVING RECOVERY AND FULL ACCOUNTING OF

POW/MIA PERSONNEL FROM ALL PAST CONFLICTS

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Thank you, Madame Chairwoman, for the opportunity to appear before the Committee to represent the Vietnam War POW/MIA families. As executive director of our nonprofit, humanitarian organization for over 30 years, I have appeared many times and recognize the importance of brevity. Thus, I'll focus solely on the structural and resources questions, despite having just returned from yet another mission to Vietnam, Laos and Cambodia for discussions with senior leaders in all three countries and, in Laos, observing complex field operations requiring extraordinary capabilities, flexibility and host-country cooperation. In the near future, we hope a hearing will be held to shed light on the professionalism of our people and willingness of foreign governments to meet reasonable expectations concerning the shared objective of all here today, accounting for US personnel – military and civilian – still missing from our nation's past wars and conflicts. In view of time restraints, I'll hit a few priorities only briefly, and ask that my full statement be submitted for the record.

REGARDING CENTRALIZED CONTROL: There have been proposals to merge the operational elements, including the Joint POW/MIA Accounting Command (JPAC) and its forensic identification laboratory, under the Defense POW/Missing Personnel Office (DPMO). Over the years since the League was formally incorporated on May 28, 1970, we have experienced much reorganization, and this concept would be particularly destructive to mission effectiveness at this time. It is critical to ensure and sustain the accounting process as a system of checks and balances. A system that recognizes the tremendous variation in environments, both geographically and in complexity, is best implemented as close to the challenges as possible.

The operational commands located in Southeast Asia are at their most effective level yet seen, reaffirmed on my just-completed trip to the region. While functioning under DPMO's broad policy guidance and JPAC's command structure, the operational detachments are able to react quickly to challenges, interface effectively with host country officials and coordinate the various operational activities without constantly seeking guidance. DPMO is in no position to function effectively operationally, and bringing them into operations would not only encroach on traditional command prerogatives of PACOM, but lead to micro-management and injurious interference with effective implementation of national accounting policy. Far removed from operational frontlines, DPMO is ill-equipped by skill sets, time zones and institutional placement to handle the numerous daily requirements faced by JPAC headquarters, their dispersed operational detachments and the lab's unique identification challenges. We would vigorously oppose movement toward more centralization under DPMO.

Consolidation advocates fail to recognize intended mission differences between DPMO and JPAC, the former being policy and oversight, the latter being implementation and operations. Operational components utilized for war-fighting are not co-located with policy-makers or those exercising oversight, nor are those tasking intelligence requirements and analyzing the product of collectors routinely co-located, and with good reason. Such proposals also fail to consider today's electronic communication capabilities. The system of checks and balances applied to national, international and homeland security matters should also be adequate for establishing policy guidance and exercising oversight on efforts to account as fully as possible for veterans unreturned from our nation's past wars. DPMO should seek to ensure the most effective national policies are established, access and cooperation from foreign governments are in place,

and operational budgets are sufficient to fund expanded requirements, thereby setting a positive environment for the operational professionals to succeed in obtaining stated goals and objectives.

ARCHIVAL RESEARCH: The League supports the independent pursuit and analysis of all forms of information collection, whether foreign archival documents, interviews with knowledgeable sources – foreign and domestic – or research of domestic archives for relevant data overlooked or misplaced in earlier years. The League opposes centralized collection and analysis due to the potential of being influenced for political reasons. In this communications era, sharing of data collected is readily available. Electronic means are the primary communication link between offices housed in the same building, much less the same metropolitan area. We have seen that proximity does not assure communication or coordination.

Since we do not support theories of conspiracy and cover-up by the US government, we believe the primary focus of archival research should be on gaining information from foreign sources and records in countries where US personnel are missing, except perhaps to further define the scope of remains recovery potential on WWII losses. The Defense Intelligence Agency's POW/MIA specialists, known as the Stony Beach Team and JPAC's investigation teams are operating in countries relevant to the Vietnam War. DPMO's Joint Commission Support Directorate (JCSD) specialists are placed to pursue information in countries that previously comprised the former Soviet Union. However, for the last several years, high level US and Russian government involvement and backing have been absent. Worldwide, there should be standing collection requirements on accounting-related matters, as there were in earlier years, handled by country team assets in missions abroad.

Analytic directorates in DPMO and JPAC should pursue different, but complimentary strategies unique to each past war. Both should have separate, but coordinated strategic archival research plans and objectives for each war that enhance the accounting process to facilitate results. DPMO's focus should be on the larger questions. These include the degree to which foreign governments should be able to provide relevant data, such as order of battle, record-repository locations and access issues. JPAC's focus should primarily be case-specific. While staying in their respective lanes, DPMO and JPAC analysts should communicate and coordinate to identify potential sources and task requirements for follow-up in-country by Stony Beach and JPAC investigation specialists.

STRUCTURAL CHANGES FOR THE JPAC:

We have learned from prior restructuring decisions that pulling assets and resources away from the primary area of operations is harmful, rather than helpful, to the accounting effort, especially where access and cooperation are problematic. PAC's detachments, Stony Beach and JCSD-Moscow visibly demonstrate the benefits – and the potential – of placement inside the target countries where answers are or may be available, or as close to those countries as can be arranged. Proximity helps retain focus on the mission and protects against loss of assets and resources to other priorities and allows frequently needed tactical decision-making in real time. Proximity also reduces costs in terms of travel and personnel time away from headquarters responsibilities. This includes forensic identification of remains of unreturned veterans, __ % of which are recovered in U.S. Pacific Command's area of operations.

The League does not currently support additional forward operating detachments or offices in countries where the US has embassies and personnel in place to assist as needed. There are three very effective JPAC Detachments (Thailand/Cambodia, Vietnam and Laos) and one DPMO forward operating base, JCSD-Moscow. With the exception of JPAC Detachment 1 in Bangkok, Thailand, primarily a logistics hub for all operations in Southeast Asia, these forward operations are in non-allied countries where there is political presence, but no deployed military assets. As in South Korea, Defense Attaches (DATs) are accredited in most Asian and European countries where WWII losses occurred and significant numbers of US military personnel are deployed or in close proximity. With DPMO guidance on policy priorities and access agreements in place, JPAC is working globally and successfully to obtain answers, and we see no current need for additional forward operating bases.

We strongly oppose proposals to alter the priorities of JPAC's laboratory, to separate it from headquarters or to move its location to the mainland. This proposal seems to be looking longer term at the lab's potential as first responder in national and international crises and disasters, rather than the lab's intended priority of POW/MIA accounting through remains recovery and identification. Our nation is capable of doing what is needed for both missions without destruction of our critical accounting mission.

JPAC's laboratory is a key operational element, one that bookends all that JPAC accomplishes in the field. Archival research and analysis determine the locations to which survey and investigation teams deploy to collect relevant data on which coordinated decisions are reached for excavations involving the lab. If these complex JPAC operations are successful in recovering remains, the results end up in their lab for forensic analysis and identification. There is frequent electronic coordination throughout that often lengthy process between JPAC's J2 and DPMO's RA, with input from JPAC and Stony Beach investigation specialists, LSEL and subsequently AFDIL scientists, often using mtDNA. The entire process is enhanced by the checks and balances inherent with interagency funding streams and command structures. That's a good thing, requiring consensus that hopefully leads to answers for the families.

Recruitment of entry-level forensic anthropologists and professional historians has occasionally been a challenge due to a variety of factors, including the market demand for experienced personnel at much higher salaries than is possible within the government service structure and lack of internal upward mobility for senior anthropologists. However, JPAC's lab is highly respected throughout the forensic science community as one of the few, as well as the best known and largest training ground in which to gain experience, while receiving an appropriate salary and the security of knowing the work is steady, dependable and worthwhile.

Staff time lost to travel and travel-related expenses would not be reduced by moving JPAC or its laboratory to the mainland, rather the opposite on the vast majority of requirements. Except for the minimal number of JPAC personnel actually necessary to support DPMO-hosted Family Updates on the mainland, moving away from the PACOM AOR would increase, rather than decrease, travel and related costs.

The League fully supports additional personnel and funding to increase JPAC's level of operations for all wars, whether investigations or remains recovery and identification. It is incumbent upon DPMO to define specific requirements to expand operations and advocate budget increases to their own Department of Defense leadership and all the Military Services.

Increased JPAC funding can expedite accounting results and should be advocated now! We also support the concept of satellite forensic laboratories to focus solely on identification of previously recovered remains awaiting processing, so long as such labs are under JPAC command and control. Once POW/MIA accounting objectives are met, it would be logical to transfer attention to a major role in meeting requirements that might arise from national and international crises.

OUTREACH FOR FAMILY REFERENCE SAMPLES:

The League supports an enhanced centralized program with stated strategic goals to more assertively pursue Family Reference Samples, with supervision and authority residing outside JPAC's lab, possibly in DPMO. JPAC scientific staff requirements should be the determining factor for setting priorities.

This could be undertaken by existing DPMO staff – archive specialists and historians – or contracted to professionals with a sole focus of locating potential donors through genealogical research. We believe the implementation priority should be established by DPMO in consultation with JPAC, but should allow for priority interruption based on identification requirements of JPAC's forensic anthropologists.

Service Casualty Offices are currently tasked with this responsibility as an addendum to established casualty requirements that include handling current war casualties and communication with affected family members. These officials are not staffed or funded for the task of genealogical research; therefore, implementation is sporadic and uneven. In the case of wars further removed in time, however, genealogical research to locate suitable FRS may be the only option for identification.

Application varies by Service. As of July 2008, the USN FRS rate on SEA cases was lowest at 26.6%, followed by USMC at 50%, USAF at 77.05%, civilians at 78.13% and USA at 83.3%, for an average for SEA of 65%. There are some SEA cases pending receipt of FRS to complete the identification process. The figures for success in collecting FRS related to the Korean War continue to rise, though USN is again lowest at 36%, USAF at 48.4%, USMC at 58.1%, Army at 63.7%, civilians at 42.8% and Coast Guard at 100% success.

DPMO-hosted Family Updates are the primary source of acquiring additional Korean War FRS, and the logical focus for applicable FRS collection since approximately 80% of all who attend the DPMO Updates are Korean War family members. (Vietnam War families have long had access to League membership, greater communication, access to information, and been eligible for DoD-provided transportation to attend the League's annual meetings, at which US Government briefings are given, except for a hiatus from 1976 – 82, during which time no transportation was provided.)

FENCED BUDGETS FOR POWMIA ACCOUNTING:

DPMO's role in addressing budget concerns of all participating organizations should not be one of control and disbursement, but support and reinforcement to Congress, DoD and Service leaders and other interested parties to ensure funding requirements are adequate and fully met. Though an inherent DPMO responsibility, there was, until recently, inadequate

attention to ensuring the funding streams for all operational elements were intact; thus there were deficiencies that caused serious cutbacks in processing by the Armed Forces DNA Identification Laboratory (AFDIL) and even temporary stoppage of JPAC field operations. (In earlier years, such monitoring was all too often left to the League; we then advocated support for each organization's funding, including expansion when needed, especially for JPAC's CIL.)

There are separately funded elements of the accounting effort that extend far beyond JPAC's investigation, recovery and identification charter. Each element came by its funding source as an arrangement to share the budget burden. The Navy's current funding of JPAC was due to its predecessor JTF-FA being a Navy-funded Command under PACOM. Funding for JPAC's laboratory initially came from the Army due to its designation as the executive agent for mortuary affairs, handling all services. This was inherited through the years as agencies and organizations were expanded to meet increasing requirements.

Air Force funding of the Life Science Equipment Laboratory (LSEL) was due to the US Air Force having had the vast majority of US Vietnam War losses with original status of POW or MIA, followed by the US Navy, in areas of North Vietnam and Laos where the air war predominantly was fought. The expertise resident in LSEL's Artifact Section is dedicated to a specific support mission, namely analysis of life support materials that sheds light on aircrew incidents. LSEL's diverse experience base and its collection of historical artifacts and aircrew-related materials remain unique and value-added to the accounting process.

The objective should be adequate funding through each of the funding streams, despite the war-fighting requirements that drain and strain the existing DOD budget. US Government priority on accounting for those who served in the past signals today's military personnel and the entire world that America stands behind those who serve and if captured or missing, we don't give up and walk away, that we are serious about obtaining answers.

DPMO currently receives DOD funding at fenced levels, including a specific number of dedicated personnel. Fencing action may also be necessary to ensure that funding and personnel levels are sustained and, if necessary, increased for JPAC, LSEL, AFDIL, the Service Casualty Offices and, importantly, the POW/MIA collection specialists in the Defense Intelligence Agency. It is crucial that this Subcommittee closely monitor the funding and personnel levels to ensure that the principles of accounting for US personnel, military and civilian, captured or missing in service to our country in time of war are sustained.

Despite the reality that the number of active family members is decreasing over time, due to both advancing age and successful accounting efforts, backing away from this priority commitment – reinforced by successive Presidents since before the end of the Vietnam War – would be perceived as a very negative signal in today's environment of all-volunteer military service. Inattention or reduction of effort would also be roundly condemned by all major national veteran organizations, their auxiliaries and the families who can and do have a willing and responsive audience when needed and desired. We focus now on accountability in past wars and conflicts; however, we know that those volunteering to serve today know the level of commitment that this issue has, or has not, enjoyed.

Thank you, and I look forward to your questions.